

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File C.A. No.
1:00-1898 (SAS)
MDL 1358

This Document Refers to:

Basso, et al. v. Sunoco, Inc., et al., 03 Civ. 9050
Tonneson, et al. v. Sunoco, Inc., et al., 03 Civ. 8248

**DEFENDANT EXXON MOBIL CORPORATION'S OBJECTIONS AND COUNTER-
DESIGNATIONS TO PLAINTIFFS' PAGE AND LINE DESIGNATIONS FROM THE
DEPOSITION OF CURTIS STANLEY**

Exxon Mobil Corporation ("ExxonMobil"), by and through its attorneys, hereby state the following objections and counter-designations to Plaintiffs' page and line designations ("Designations") from the deposition of Curtis Stanley, taken on May 6, 1999 and October 3, 2000 in the case of *South Tahoe Public Utility District v. Atlantic Richfield Company, et al.*, No. 999128 in the Superior Court of the State of California, San. Francisco County.

GENERAL OBJECTIONS

1. To the extent that Plaintiffs' Designations are offered against ExxonMobil, who did not produce this witness for deposition, or to the extent Plaintiffs attempt to impute or attribute any designated testimony to ExxonMobil, Defendants object to Plaintiffs' Designations on the grounds of relevance and that any probative value is substantially outweighed by the risk of prejudice, confusion of issues, and/or misleading the jury.

2. ExxonMobil objects to Plaintiffs' Designations to the extent that they do not include the full question asked or do not include the deponent's full response. Such partial designations are confusing, misleading and prejudicial, and therefore inadmissible under the Federal Rules of Evidence, subject to ExxonMobil's objections to all or portions of a given answer on other grounds.

3. ExxonMobil objects to Plaintiffs' Designations to the extent they may be imputed to any other party, other than the party for which the witness was an organizational designee under Federal Rule of Civil Procedure 30(b)(6).

4. ExxonMobil objects to Plaintiffs' Designations to the extent they refer to pages and lines of a deposition transcript that is a draft, preliminary or "rough" copy, not certified by the court reporter, not signed by the witness, or otherwise not in final form.

5. In addition to these General Objections and the specific objections made below, ExxonMobil incorporates herein by reference all objections made during the deposition by any counsel defending the witness or otherwise present at the deposition.

6. In making the specific objections set forth below, ExxonMobil responds only to Plaintiffs' Designations and expressly reserves its right to assert additional objections to the use or admission into evidence of any other portions of the deposition that Plaintiffs have not expressly designated.

7. ExxonMobil does not waive (and expressly reserves) its right to make any additional or further objections that may become evident at trial.

SPECIFIC OBJECTIONS

ExxonMobil incorporates by reference each of the General Objections set forth above. ExxonMobil further specifically objects as follows to the Designations made by Plaintiffs from

the deposition of Curtis Stanley, taken on May 6, 1999, in *South Tahoe Public Utility District v. Atlantic Richfield Company, et al.*, No. 999128 in the Superior Court of the State of California, San. Francisco County:

<u>Plaintiffs' Designations</u>	<u>ExxonMobil's Objections</u>
5:16-6:13	None

ExxonMobil further specifically objects as follows to the Designations made by Plaintiffs from the deposition of Curtis Stanley, taken on October 3, 2000, in *South Tahoe Public Utility District v. Atlantic Richfield Company, et al.*, No. 999128 in the Superior Court of the State of California, San. Francisco County:

<u>Plaintiffs' Designations</u>	<u>ExxonMobil's Objections</u>
345:25-346:2	None
495:11-496:16	Hearsay, Irrelevant, No Authentication, No Foundation
497:9-497:14	Argumentative, Irrelevant, Misstates Prior Testimony
497:18-498:9	Calls for Expert Testimony, Irrelevant, Vague and Ambiguous
500:3-500:25	Hearsay, Irrelevant, No Authentication, No Foundation
501:4-501:9	Hearsay, Irrelevant, No Authentication, No Foundation

COUNTER-DESIGNATIONS

In making the counter-designations set forth below, ExxonMobil does not waive (and expressly reserves) any and all objections to the use, introduction or admission into evidence of such testimony, and ExxonMobil expressly reserves its right to assert any additional or further objections that may become evident at trial. In some cases, ExxonMobil has counter-designated testimony only for the sake of completeness in the event that its objections to certain Designations made by Plaintiffs are overruled. In the event that ExxonMobil's objections to

such Designations are sustained, ExxonMobil reserves its right to withdraw the corresponding counter-designations and to object to the admissibility or other use of such testimony at trial.

ExxonMobil hereby designates the following counter-designations from the deposition of Curtis Stanley, taken on May 6, 1999, in *South Tahoe Public Utility District v. Atlantic Richfield Company, et al.*, No. 999128 in the Superior Court of the State of California, San. Francisco County:


ExxonMobil's Counter-Designations
6:21-7:1

ExxonMobil further designates the following counter-designations from the deposition of Curtis Stanley, taken on October 3, 2000, in *South Tahoe Public Utility District v. Atlantic Richfield Company, et al.*, No. 999128 in the Superior Court of the State of California, San. Francisco County:

ExxonMobil's Counter-Designations
496:17-24
497:15-17
499:2-18
501:1-3
502:5-11

Dated: December 17, 2008

Respectfully submitted,


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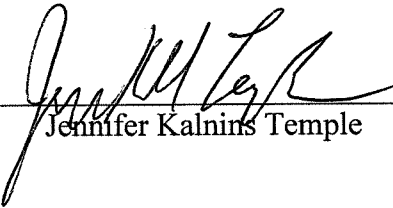
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CERTIFICATE OF SERVICE

Jennifer Kalnins Temple, pursuant to 28 USC 1746, hereby declares under penalty of perjury, that on the 17th day of December, 2008, I caused DEFENDANT EXXON MOBIL CORPORATION'S OBJECTIONS AND COUNTER-DESIGNATIONS TO PLAINTIFFS' PAGE AND LINE DESIGNATIONS FROM THE DEPOSITION OF CURTIS STANLEY to be served on all of the parties in the above captioned matter via Lexis Nexis File and Serve and via email to plaintiff's liaison counsel.



Jennifer Kalnins Temple